

#8

PTO/SB/66 (08-00)

Approved for use through 12/31/2002. OMB 0651-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c))Docket Number (Optional)
5483 413416/010

Mail to: Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

RECEIVED
JUN 11 2002
OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

Patent No. 5,704,371 Application Number 08/611,642
Issue Date 01/06/98 Filing Date 03/06/96

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above-identified patent:

is a reissue of original Patent No. _____, original issue date _____; original application number _____, original filing date _____.

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____ filed on _____.

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

06/06/02

Signature

Daniel J. Meaney, Jr.

Typed or printed name of person signing Certificate

Adjustment date: 06/12/2002	RELEVEY
06/11/2002	AWONDAF1 00000136 08611642
01 FC:698	-2080.00 00
06/12/2002	RELEVEY 0000003 08611642
01 FC:282	440.00 00
02 FC:188	1640.00 00

[Page 1 of 3]

Burden Hour Statement: This collection of information is required by 37 CFR 1.378. This information is used by the public to submit (and by the USPTO to process) payment of patent maintenance fees. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the complete payment of maintenance fees. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

06/11/2002 AWONDAF1 00000136 08611642

01 FC:698

2080.00 00

1. SMALL ENTITY

Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 1/2 yr fee	(183)	<input checked="" type="checkbox"/> \$ <u>440</u>	3 1/2 yr fee	(283)
<input type="checkbox"/> \$ _____	7 1/2 yr fee	(184)	<input type="checkbox"/> \$ _____	7 1/2 yr fee	(284)
<input type="checkbox"/> \$ _____	11 1/2 yr fee	(185)	<input type="checkbox"/> \$ _____	11 1/2 yr fee	(285)

MAINTENANCE FEE BEING SUBMITTED \$ 440

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1,640 (Fee Code 188) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.

SURCHARGE BEING SUBMITTED \$ 1,640

5. MANNER OF PAYMENT

Enclosed is a check for the sum of \$ 2,080.00.

Please charge Deposit Account No. _____ the sum of \$ _____. A duplicate copy of this authorization is attached.

Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

The Commissioner is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 13-2515. A duplicate copy of this authorization is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

7. OVERPAYMENT

As to any overpayment made please

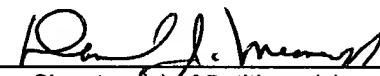
OR Credit to Deposit Account No. 13-2515.
 Send refund check.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**8. STATEMENT**

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.06/06/02

Date



Signature(s) of Petitioner(s)

805 687-6909

Telephone Number

Daniel J. Meaney, Jr.Typed or printed name(s)
Registration No. 22179Post Office Box 22307
AddressSanta Barbara, CA 93121

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES:

Maintenance Fee payment
 Surcharge
 Communication/Maintenance Fee Form



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

MAINTENANCE FEE TRANSMITTAL FORM

Address to:
United States Patent and Trademark Office
P.O. Box 371611
Pittsburgh, PA 15250-1611

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "United States Patent and Trademark Office, P.O. Box 371611, Pittsburgh, PA 15250-1611" on _____.

Signature _____

Typed or printed name _____

JUN 11 2002

RECEIVED
CANCELLATION OF PETITIONS

Enclosed herewith is the payment of the maintenance fee(s) for the listed patent(s).

1. A check for the amount of \$2,080 for the full payment of the maintenance fee(s) and any necessary surcharge on the following patents is enclosed.
2. The Commissioner is hereby authorized to charge \$_____ to cover the payment of the fee(s) indicated below to Deposit Account No._____.
3. The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 13-2515.
4. Payment by credit card. Form PTO-2038 is attached.

*Information required by 37 CFR 1.366(c) (columns 1 & 4). Information requested under 37 CFR 1.366(d) (columns 2, 3, 5, & 6)

Item	Patent Number*	Maintenance Fee Amount (37 CFR 1.20 (e)-(g))	Surcharge Amount (37 CFR 1.20 (h)-(i))	U.S. Application Number* [06/555,555]	Payment Year			Small Entity? ** 6
					3	4	5	
1	5,704,371	\$440	\$1,640	08/611,642	X			Yes
2								
3								
4								
5								
6								
Subtotals__ Columns 2 & 3		\$440	\$1,640					
Total Payment			\$2,080					

_____ additional sheets attached for listing additional patents.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Respectfully submitted***:

Customer's name: Daniel J. Meaney, Jr.

805-687-6909

Telephone:

Fax: 805-687-4499

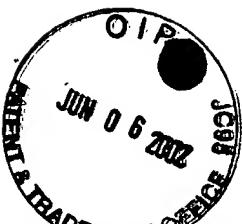
Customer's Signature:

Daniel J. Meaney, Jr. Registration No. 22179
Note. *All correspondence will be forwarded to the "Fee Address" or to the "Correspondence Address" if no "Fee Address" has been provided. 37 CFR 1.363.

**Payment of small entity fee is appropriate if small entity status still exists, see 37 CFR 1.27(g). To establish small entity status or to change status from small to large entity, note the requirements of 37 CFR 1.27 and 1.33(b).

***WHERE MAINTENANCE FEE PAYMENTS ARE TO BE MADE BY AUTHORIZATION TO CHARGE A DEPOSIT ACCOUNT, BOTH CUSTOMER'S NAME AND SIGNATURE ARE REQUIRED.

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DO Deposit Account
IF REQUIRED

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**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c))**

Docket Number (Optional)
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06/06/02
Date


Signature

Daniel J. Meaney, Jr.

Typed or printed name of person signing Certificate

[Page 1 of 3]

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MAINTENANCE FEE BEING SUBMITTED \$ 440

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Date



Signature(s) of Petitioner(s)

805 687-6909

Telephone Number

Daniel J. Meaney, Jr.Typed or printed name(s)
Registration No. 22179Post Office Box 22307

Address

Santa Barbara, CA 93121

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ENCLOSURES:

Maintenance Fee payment
 Surcharge
 Communication/Maintenance Fee Form



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENTEE: FRANZiska SHEPARD)
 UNITED STATES PATENT NO: 5,704,371)
 ISSUED: JANUARY 6, 1998) MAINTENANCE FEE
 SERIAL NO: 08/611,642) TRANSMITTAL
 FILED: MARCH 6, 1996)
 FOR: MEDICAL HISTORY DOCUMENTATION)
 SYSTEM AND METHOD)

RECEIVED
 JUN 11 2002
 OFFICE OF PETITIONS

Assistant Commissioner for Patents
 Box DAC
 Washington, D.C. 20231

COMMUNICATION, PETITION TO ACCEPT UNINTENTIONALLY
DELAYED PAYMENT OF A MAINTENANCE FEE IN AN EXPIRED PATENT
(37 C.F.R. §1.378(c)) AND MAINTENANCE FEE TRANSMITTAL FORM

Dear Sir:

Enclosed with this COMMUNICATION are the following documents:

I hereby certify that this correspondence is being deposited with the United States Postal Service as EXPRESS MAIL NO. EU181599474US in an envelope addressed to:
 Assistant Commissioner for Patents, Box DAC,
 Washington, D.C. 20231, on June 6, 2002.

Date of Signing: June 6, 2002

Signature: Dan J. Shepard

Date of Mailing: June 6, 2002

- (1) A PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF A MAINTENANCE FEE IN AN EXPIRED PATENT (37 C.F.R. §1.378(c)) on Form PTO/SB/66;
- (2) A MAINTENANCE FEE TRANSMITTAL FORM on Form PTO/SB/45;
- (3) A check for \$2,080 paying the Small Entity Fee Maintenance Fee Amount of \$440 for the 3.5 year payment and Surcharge Amount of \$1,640 due for the above identified United States Patent 5,704,642; and
- (4) A postcard.

The enclosed Petition is being filed within twenty four (24) months after the six (6) month grace period provided for in paragraph (a) of 37 C.F.R. §1.378.

The enclosed Petition includes:

- (1) The requested Maintenance Fee for a Small Entity Status in the amount of \$440 set forth in §1.20(e);
- (2) The surcharge of \$1,640 set forth in §1.20(i)(2); and
- (3) A statement that the delay in payment of the Maintenance Fee was unintentional.

The enclosed check in the amount of \$2,080.00 is for payment of the above referenced fees.

The Commissioner is respectfully requested to accept payment of the Maintenance Fee upon this Petition and to consider this

Patent as not having expired, subject to the conditions set forth in 35 U.S.C. § 41(c) (2).

Respectfully submitted,



Daniel J. Meaney, Jr.
Registration 22179
Attorney for Patentee

DANIEL J. MEANEY, JR., ESQ.
P. O. Box 22307
Santa Barbara, CA 93121
Telephone: (805) 687-6909

Dated: June 6, 2002

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